

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition
of the Clean Water Action
Project for Review of the
Failure to Seek Judicial Relief
Against Georgia Pacific Corpor-
ation, Standley Creek Operations,
by the California Regional Water
Quality Control Board, North
Coast Region. Our File No. A-154.

Order No. WQ 77-17

BY THE BOARD:

The California Regional Water Quality Control Board, North Coast Region (Regional Board), held public hearings at their June, July and August 1976 Board meetings regarding whether to request the Attorney General to seek injunctive relief against the Georgia-Pacific Corporation compelling the Company to file a complete report of waste discharge for logging and associated activities adjacent to Standley Creek, Mendocino County. The Regional Board adopted a motion finding the report of waste discharge adequate and directing the staff to prepare proposed waste discharge requirements for the project.

On September 27, 1976, the State Water Resources Control Board (State Board) received a petition from the Clean Water Action Project (petitioner) for review of the Regional Board's failure to refer the matter to the Attorney General. The petitioner addressed sedimentation problems that could result from this project. This petition was held in abeyance until adoption by the Regional Board of waste discharge requirements.

On March 24, 1977, the Regional Board adopted Order No. 77-18, waste discharge requirements for this project. Among other requirements included in Order 77-18, the following limitations and prohibitions were specified:

A. DISCHARGE SPECIFICATIONS

1. Discharge from the subject property shall not cause the turbidity of the South Fork Eel River, or Standley Creek or its tributaries, to be increased more than 20 percent above naturally-occurring background levels.
2. Discharge from the subject property shall not cause the suspended sediment of the South Fork Eel River, or Standley Creek or its tributaries, to be increased more than 20 percent above naturally-occurring background levels.

B. PROHIBITIONS

1. The discharger shall not discharge soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature into the South Fork Eel River, or Standley Creek or its tributaries thereto, in quantities deleterious to fish, wildlife, or other beneficial uses.

2. The discharger shall not place or dispose of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature at locations where such materials could pass into the South Fork Eel River, or Standley Creek or tributaries thereto, in quantities which would be deleterious to fish, wildlife, or other beneficial uses.

The petitioner has not filed a petition for review of Order No. 77-18.

The authority and duty of a Regional Board to request and receive a complete report of waste discharge is firmly established. Water Code Sections 13260, 13264. However, the Regional Board found that the report of waste discharge was adequate, and adopted requirements for the discharge which the petitioner did not challenge. Thus, no useful purpose would be served by requesting the Attorney General to seek injunctive relief. In view of the fact that Order No. 77-18 includes discharge specifications and prohibitions for control of sedimentation and that petitioner did not seek review of that Order, this matter is moot and the petition should be dismissed.

NOW, THEREFORE, IT IS HEREBY ORDERED, that this
petition be, and it is dismissed.

Dated: July 21, 1977

/s/John E. Bryson, Chairman
John E. Bryson, Chairman

/s/W. Don Maughan, Vice Chairman
W. Don Maughan, Vice Chairman

/s/W. W. Adams, Member
W. W. Adams, Member

Jean Auer, Member